

Amendment No. 1 to HB2647

**Wirgau
Signature of Sponsor**

AMEND Senate Bill No. 2672*

House Bill No. 2647

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Chapter 384 of the Private Acts of 1947, as amended by Chapter 118 of the Private Acts of 1973, Chapter 59 of the Private Acts of 2005, and any other acts amendatory thereto, is further amended by adding the following language to the end of Section 12:

Effective September 1, 2016, there is created Part IV of the Court of General Sessions of Rutherford County. At the August general election in 2016, the qualified voters of Rutherford County shall elect a person to serve as judge of Part IV of the Court of General Sessions for a six (6) year term beginning September 1, 2016. The qualifying deadline for the 2016 election is at noon on the ninetieth day before the August general election. Any person qualifying for the 2016 election has until noon on the eighty-seventh day before the August general election to withdraw. After expiration of the initial six (6) year term, and every eight (8) years thereafter, the qualified voters of Rutherford County shall elect a person to serve as judge of Part IV of the Court of General Sessions for an eight (8) year term.

Such person shall be required to possess all the same qualifications as the general session judges in Parts I, II, and III and shall be vested with the same authority and jurisdiction to try, hear, and dispose of cases and other matters that come before such court as is conferred upon the judges in Parts I, II, and III.

The judge of Part IV shall receive the same compensation, payable in the same manner, as judges of Parts I, II, and III.

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Beginning September 1, 2016, the Judges of the General Sessions Court of Rutherford County shall designate, by a majority vote, one (1) of the four (4) judges to serve as the presiding judge for a one (1) year term. There is no limit on the number of consecutive terms a judge may serve as presiding judge. The presiding judge shall designate, determine the cases, and the time for holding court for each judge. Until September 1, 2016, the present method of selecting the presiding judge shall remain in effect.

SECTION 2. Effective September 1, 2016, Chapter 384 of the Private Acts of 1947, as amended by Chapter 118 of the Private Acts of 1973, Chapter 59 of the Private Acts of 2005, and any other acts amendatory thereto, is further amended by deleting from Section 12 the first full paragraph added by Section 3 of Chapter 59 of the Private Acts of 2005, such paragraph pertaining to the selection of the presiding judge for the General Sessions Court of Rutherford County.

SECTION 3.

(a) Rutherford County shall provide all funding necessary for the establishment and operation of Part IV of the Court of General Sessions of Rutherford County created by this act, including a courtroom, office space, and such personnel as is necessary to efficiently operate such court.

(b) This act shall take effect only if the cost of providing any additional assistant district attorneys general, assistant district public defenders, or any other costs

associated with the judgeship created by this act is funded by Rutherford County, and such funding continues for the term of the judgeship so created.

SECTION 4. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Rutherford County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified by that officer to the secretary of state.

SECTION 5. For the purpose of approving, or rejecting, the provision of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.